PUBLIC 5
EMERGENCY

An Act To Amend the Membership of the InforME Board

LD 101

Sponsor(s) BARSTOW SCHNEIDER Committee Report OTP-AM Amendments Adopted

H-22

Public Law 2005, chapter 5 amends the membership of the InforME Board to include the Chief Information Officer of the Department of Administrative and Financial Services or the Chief Information Officer's designee and reduces the number of user associations represented on the board from 3 to 2.

Public Law 2005, chapter 5 was enacted as an emergency measure effective March 18, 2005.

PUBLIC 8 An Act To Create a Family Reunion Day in August

LD 223

Sponsor(s)

Committee Report
OTP

Amendments Adopted

Public Law 2005, chapter 8 designates the Monday after the first full weekend of August as Family Reunion Day.

PUBLIC 13 An Act To Codify Senate Districts in Statute

LD 98

Sponsor(s) GAGNON RICHARDSON J Committee Report
OTP

Amendments Adopted

Public Law 2005, chapter 13 codifies the Maine Supreme Judicial Court's plan for the reapportionment of the State Senate districts.

PUBLIC 20 An Act to Establish Community Giving Week BY REQUEST

LD 23

Sponsor(s) FISCHER Committee Report
OTP-AM

Amendments Adopted

Public Law 2005, chapter 20 establishes the 3rd full week in November as Community Giving Week.

PUBLIC 29 An Act To Amend the Budget Timetable for Oxford County

LD 551

Sponsor(s)	Committee Report	Amendments Adopted
HANLEY B	OTP	_
HASTINGS		

Public Law 2005, chapter 29 changes the date by which the Oxford County commissioners must approve the county budget from December 15th to the 3rd Tuesday in December.

PUBLIC 47 EMERGENCY

An Act To Make Technical Changes to the Laws Establishing the Lincoln and Sagadahoc Multicounty Jail Authority

LD 744

Sponsor(s)	Committee Report	Amendments Adopted
MAYO	OTP-AM	S-31
RINES		

Public Law 2005, chapter 47 provides for the establishment of the Lincoln and Sagadahoc Multicounty Jail Authority as a public body corporate and politic and a public instrumentality of the counties. This law clarifies that the liability of the jail authority and its personnel is governed by the Maine Tort Claims Act and that members and employees of the jail authority are not personally liable for actions taken within the course and scope of their respective duties on behalf of the authority.

Public Law 2005, chapter 47 was enacted as an emergency measure effective April 8, 2005.

PUBLIC 59 An . EMERGENCY

An Act To Clarify City Election Procedures

LD 488

Sponsor(s)	Committee Report	Amendments Adopted
ADAMS	OTP	_

Public Law 2005, chapter 59 clarifies the procedure for calling an election in a city, if the municipal charter does not specify the procedure, by allowing notification of the election to be done by warrant or by notice of election.

Public Law 2005, chapter 59 was enacted as an emergency measure effective April 21, 2005.

PUBLIC 79 An Act To Update Certain Provisions Pertaining to County Government

LD 240

Sponsor(s)	Committee Report	Amendments Adopted
PLUMMER	OTP	
SCHNEIDER		

Public Law 2005, chapter 79 defines the term "county official" in order to make the distinction between this category of county personnel, which includes both appointed and elected county offices, and the narrower category of "county officer," which refers only to elected offices. These definitions make the same distinction as those in municipal laws. This law allows a county treasurer to pay clerical help either weekly or biweekly, at the discretion of the commissioners, consistent with recent changes to Maine's hour and wage laws. It also removes references to the Legislature in provisions governing adoption of a county budget because those provisions have been obsolete in all counties for a number of years.

PUBLIC 84 An Act To Include Androscoggin County in the Law Governing the Use of County Surplus Funds

LD 339

Sponsor(s)	Committee Report	Amendments Adopted
ROTUNDO	OTP	_
SAMPSON		

Public Law 2005, chapter 84 removes the exception for Androscoggin County in the law on use of county surplus funds.

PUBLIC 86 An Act To Raise the Marriage Fees

LD 379

Sponsor(s)	Committee Report	Amendments Adopted
O'BRIEN	OTP	

Public Law 2005, chapter 86 increases the fee for recording marriage intentions and issuing a marriage license from \$20 to \$30.

PUBLIC 104 An Act To Enact an Immediate Review System in the Office of Program Evaluation and Government Accountability

LD 245

Sponsor(s)	Committee Report	Amendments Adopted
CROSTHWAITE	OTP-AM	H-135
NASS R		

Public Law 2005, chapter 104 establishes within the Office of Program Evaluation and Government Accountability an immediate review system to provide immediate review of a program or function of a state agency or other entity in the event that there is a suspicion of a major mismanagement of public funds or functions. It requires the Director of the Office of Program Evaluation and Government Accountability to coordinate with the Attorney General, State Auditor, State Controller and others considered appropriate by the director.

PUBLIC 105 An Act To Amend the Knox County Budget Process

LD 727

Sponsor(s)	Committee Report	Amendments Adopted
BOWEN	OTP-AM	H-148
SAVAGE		

Public Law 2005, chapter 105 amends the Knox County budget process by providing that a vacancy on the budget committee must be filled by a person from the same district rather than the same municipality.

PUBLIC 112 An Act To Increase Vital Records Fees

LD 473

Sponsor(s)	Committee Report	Amendments Adopted
LEWIN	OTP	_
ANDREWS		

Public Law 2005, chapter 112 increases the fee paid to a municipality for providing a copy of a birth or marriage certificate from \$7 to \$10 for the first copy and from \$3 to \$5 for each additional copy. It also increases the burial permit fee from \$4 to \$5. The fees currently paid to the State for providing a copy of a birth or marriage certificate is \$15 for the first copy and \$6 for each additional copy.

PUBLIC 123 An Act To Make Technical and Minor Changes in the Capitol Planning Commission

LD 1096

Sponsor(s)	Committee Report	Amendments Adopted
LERMAN	OTP-AM	H-219

Public Law 2005, chapter 123 changes the composition of the resident membership of the Capitol Planning Commission from 2 residents of the Capitol Planning District and one resident of the City of Augusta not a resident of the Capitol Planning District, to one resident of the Capitol Planning District and 2 residents of the City of Augusta not residents of the Capitol Planning District. It changes the term of the resident members and the members-at-large of the Capitol Planning Commission from 2 years to 5 years.

PUBLIC 124 An Act To Reestablish the Penobscot County Budget Committee EMERGENCY

LD 361

Sponsor(s)	Committee Report	Amendments Adopted
BLANCHARD	OTP-AM	H-126
PERRY J		H-280 BARSTOW

Public Law 2005, chapter 124 reestablishes the Penobscot County Budget Committee.

Public Law 2005, chapter 124 was enacted as an emergency measure effective May 18, 2005.

PUBLIC 136 An Act To Establish Moxie as Maine's Official Soft Drink

LD 85

Sponsor(s)	Committee Report	Amendments Adopted
ROTUNDO	OTP-AM	S-89
BERLIBE		

Public Law 2005, chapter 136 establishes Moxie as the official soft drink of Maine.

PUBLIC 201 An Act To Amend the Laws Governing the Community Preservation Advisory Committee

LD 575

Sponsor(s)	Committee Report		Amendments Adopted
BROMLEY	OTP-AM	MAJ	S-102
KOFFMAN	ONTP	MIN	

Public Law 2005, chapter 201 authorizes the Community Preservation Advisory Committee to submit legislation related to its annual reports to the first regular session of each Legislature.

PUBLIC 210 An Act To Require a Surcharge on Probate Documents

LD 1374

Sponsor(s)	Committee Report		Amendments Adopted
COWGER	OTP-AM	MAJ	S-103
BARSTOW	ONTP	MIN	

Public Law 2005, chapter 210 imposes a surcharge of \$10 per petition, application or complaint filed in the Probate Court. The money collected as a result of the surcharge must be deposited in a separate, nonlapsing account and used for the restoration, storage and preservation of the records filed in the office of the register of probate and in Probate Court. The surcharge is waived for individuals filing petitions for name changes. The judge of probate has the authority to waive the surcharge based on hardship.

PUBLIC 222 An Act To Improve Communication, Cooperation and Efficiencies in State Government

LD 121

Sponsor(s)	Committee Report	Amendments Adopted
BARSTOW	OTP-AM	Н-389
SAVAGE		

Public Law 2005, chapter 222 renames the Intergovernmental Advisory Group the Intergovernmental Advisory Commission. It allows for 2 additional members appointed by the Governor who represent public safety, one municipal member nominated by a statewide organization representing public safety interests and one county official nominated by a statewide association of county commissioners. It also requires the Executive Department, State Planning Office to designate an individual as an intergovernmental coordinator who will work to encourage improved governmental cooperation, efficiencies in service delivery and coordination of regional and cooperative efforts initiated through state departments and agencies. The commission, which may meet up to 4 times per year, may have up to 6 additional meetings if it raises funds to compensate members.

PUBLIC 225 An Act To Allow Municipalities To Acquire Title to Abandoned Cemeteries

LD 1029

Sponsor(s)	Committee Report	Amendments Adopted
PINGREE	OTP-AM	H-265
DAMON		

Public Law 2005, chapter 225 allows municipalities to take title to abandoned cemeteries, which are cemeteries in which no burial has taken place for at least 40 years and whose lots or grave sites have not been maintained for at least 10 years. The municipality shall attempt to identify and notify the owner of the municipality's intention to acquire the cemetery. If no owner is identified, the municipality shall publish notice in a newspaper of general circulation of the municipality's intention to acquire the cemetery. If an owner objects and reasserts ownership rights, the owner shall promptly conform to any municipal ordinance concerning the cemetery. If no owner objects within 14 days of the last published notice, then title to the cemetery reverts to the municipality. Municipalities that acquire title to abandoned cemeteries are required to keep title of the land forever and not sell the property. The municipality must maintain the existing use of the land as a cemetery. The municipality may have a survey done to determine the extent of the cemetery and may develop a preservation plan with a local cemetery association and archaeologists.

PUBLIC 244 An Act To Restore Municipal Authority To Review Development Using Flexible Standards

LD 991

Sponsor(s)	Committee Report	Amendments Adopted
MILLS P	OTP-AM	S-174

Public Law 2005, chapter 244 defines "cluster development" as development in which individual lot sizes and setbacks may be reduced in exchange for areas of common space and recreation and environmental purposes. It allows a zoning ordinance to delegate to the municipal reviewing authority the ability to approve development proposals that do not meet dimensional standards in order to promote cluster development, accommodate lots with insufficient frontage or provide for reduced setbacks for lots or buildings. This law specifies that the delegation of authority does not authorize the reduction of shoreland zoning dimensional requirements.

PUBLIC 246 An Act To Increase County Filing Fees

LD 1092

Sponsor(s)	Committee Report	Amendments Adopted
LERMAN	OTP A	
	OTP-AM B	
	OTP-AM C	

Public Law 2005, chapter 246 increases the fee for recording an instrument with a register of deeds by \$5.

PUBLIC 266 An Act To Implement the Fund for the Efficient Delivery of Local and Regional Services

LD 1637

Sponsor(s)	Committee Report	Amendments Adopted
BARSTOW	OTP-AM	H-432
SAVAGE		

Public Law 2005, chapter 266 provides for the administration and use of the Fund for the Efficient Delivery of Local and Regional Services. The fund is used to provide cooperative services and planning grants to fund projects that achieve significant and sustainable savings in the cost of delivery of services and that reduce the demand for property tax revenues through collaborative approaches to service delivery. The Department of Administrative and Financial Services is required to consult with the review panel prior to issuing the request for proposals and must provide the annual report to the joint standing committee of the Legislature having jurisdiction over state and local government matters.

PUBLIC 293 An Act To Protect Use of Municipal Seals

LD 1380

Sponsor(s)	Committee Report		Amendments Adopted
WESTON	OTP-AM	MAJ	S-202
RECTOR	OTP-AM	MIN	

Public Law 2005, chapter 293 prohibits a person from using a likeness or copy of a municipal seal without permission from the municipality. The municipal clerk may give written permission for the use of the municipal seal. A municipality may seek injunctive relief to prevent a person from using or displaying the municipal seal. A violation of the provisions of this bill is a Class E crime.

PUBLIC 294 An Act To Repeal Certain Boards and Commissions

LD 1537

Sponsor(s)	Committee Report	Amendments Adopted
_	OTP-AM	H-378
		H-469 BARSTOW

Public Law 2005, chapter 294 repeals the following boards and commissions that failed to file an annual report of activities with the Secretary of State for 2003 or 2004 or that filed annual reports with the Secretary of State indicating inactivity in the preceding 24 months: Consumer Health Care Division Advisory Council; Council on Children and Families; Maine Potato Quality Control Board; Maine Regulatory Fairness Board; Massage Practitioners Advisory Council; Multistate Tax Compact Advisory Committee; Petroleum Advisory Committee; and Skill Standards Board.

PUBLIC 348 An Act To Allow Lincoln and Sagadahoc Counties an Exemption from the Limitation on County Assessments

LD 1667

Sponsor(s)	Committee Report	Amendments Adopted
	OTP-AM	H-537

Public Law 2005, chapter 348 exempts Lincoln and Sagadahoc counties from including the construction, debt service, operation and maintenance costs of the new jail administered by the Lincoln and Sagadahoc Multicounty Jail Authority in the county tax assessment for a period of 2 years and from having to go through the approval process usually used to exceed the county assessment.

Public Law 2005, chapter 348 was enacted as an emergency measure effective June 8, 2005.

PUBLIC 413 An Act To Provide Relief from the Cost of Rescue Services to Certain Communities

LD 557

Sponsor(s)	Committee Report		Amendments Adopted
CARR	OTP-AM	MAJ	H-317
SCHNEIDER	ONTP	MIN	S-396 ROTUNDO

Public Law 2005, chapter 413 allows the State to reimburse communities of fewer than 200 people that have no Interstate 95 exit within the town limits of that town for those communities' costs of providing fire, ambulance or other rescue services for accidents that occur on Interstate 95. It establishes the Reimbursement for Rescue Services Fund and allows the Commissioner of Public Safety to accept money from any source to fund the fund.

P & S 3 An Act To Change the Name of T8 SD to Fletchers Landing Township

LD 140

Sponsor(s)	Committee Report		Amendments Adopted
DAMON	OTP-AM	MAJ	S-14
CROSTHWAITE	ONTP	MIN	

Private and Special Law 2005, chapter 3 renames the town of T8 SD in Hancock County, Fletchers Landing Township.

P & S 15 An Act To Amend the Charter of the Farmington Village Corporation

LD 1204

Sponsor(s)	Committee Report	Amendments Adopted
WOODCOCK	OTP-AM	S-158

Private and Special Law 2005, chapter 15 amends the charter of the Farmington Village Corporation by giving the corporation authority to take water in the Town of Farmington and to establish rates and repeals the section of the charter that limits the situations in which the corporation may lease its property. The bill also makes the authority to establish rates retroactive to 1911, which is the date of the corporation's new charter.

RESOLVE 2 EMERGENCY Resolve, Authorizing the City of Gardiner To Refinance Certain Temporary Bond Anticipation Notes Issued for Its Wastewater Project LD 126

Sponsor(s)Committee ReportAmendments AdoptedHANLEY SOTPCOWGER

Resolve 2005, chapter 2 allows the City of Gardiner to issue and sell its temporary general obligation bond anticipation notes in a principal amount not to exceed \$1,507,000 for an additional 2 years for the purpose of refinancing certain outstanding temporary notes originally issued in August 2002 and to finance additional costs of the wastewater project for the City of Gardiner.

Resolve 2005, chapter 2 was finally passed as an emergency measure effective March 3, 2005.

RESOLVE 4

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Place under Option or Right of First Refusal Certain Property along State Street, Augusta, Maine LD 489

Sponsor(s)Committee ReportAmendments AdoptedLERMANOTP-AMH-40

Resolve 2005, chapter 4 authorizes the Commissioner of Administrative and Financial Services to place under option or right of first refusal Tax Map Parcel 33-115 along State Street in Augusta, Maine. This parcel is essential to implementation of the Augusta State Facilities Master Plan that seeks to create a suitable gateway into the State's capital facilities. The property will be purchased only if the purchase is authorized and funded by the Legislature.

RESOLVE 5

Resolve, Authorizing the Commissioner of Administrative and Financial Services To Sell or Lease the Interests of the State in Certain Real Estate Located along the New Belgrade Road in Augusta LD 504

Sponsor(s)Committee ReportAmendments AdoptedLERMANOTP-AMH-41

Resolve 2005, chapter 5 authorizes the Commissioner of Administrative and Financial Services to sell or lease the State's interests in a small portion of the Maine Veterans Memorial Cemetery lying along New Belgrade Road, also known as Civic Center Drive, in Augusta, Maine.

RESOLVE 6 EMERGENCY

Resolve, To Recognize April 6, 2005 as the National Day of Hope

LD 532

Sponsor(s)	
ANDREWS	
LEWIN	

OTP-AM

Amendments Adopted S-19

Resolve 2005, chapter 6 recognizes the National Day of Hope observed on April 6, 2005.

Resolve 2005, chapter 6 was finally passed as an emergency measure effective April 1, 2005.

RESOLVE 15 Resolve, Directing the State Planning Office To Establish a Process for the Collection of Municipal and County Data

LD 900

Committee Report
OTP-AM

Amendments Adopted

S-91

Resolve 2005, chapter 15 directs the Executive Department, State Planning Office to establish a process for collecting municipal and county revenue and spending data by cooperating with the Department of Audit, the Maine County Commissioners' Association, the Maine Municipal Association and others determined appropriate in order to convert that data for the United States Census forms for the Annual Survey of Local Government Finances, Municipalities and Townships, and the Annual Survey of County Government Finances.

RESOLVE 16 EMERGENCY

Resolve, To Ensure the Collection and Report of Outsourcing Data

LD 471

Sponsor(s)
CRESSEY
EDMONDS

Committee Report Amendments Adopted H-133

Resolve 2005, chapter 16 directs the Department of Administrative and Financial Services, Division of Purchases to collect information from all contracted providers of services to the State regarding the country where the services will be performed and to notify the department of any changes to this information. It requires the Division of Purchases to report this information to the Joint Standing Committee on State and Local Government by January 15, 2006.

Resolve 2005, chapter 16 was finally passed as an emergency measure effective May 12, 2005.

RESOLVE 25 Resolve, To Improve the Response Time for State Employees Seeking Job Reclassifications

LD 1331

Sponsor(s)	Committee Report	Amendments Adopted
MITCHELL	OTP-AM	S-118
BARSTOW		

Resolve 2005, chapter 25 directs the Department of Administrative and Financial Services, Bureau of Human Resources to instruct state agencies to expedite the review and submission process of employee-initiated reclassification requests. The Bureau of Human Resources must modify the form for reclassification requests by providing a tear-off cover sheet that includes the date the employee signed to be forwarded to the Bureau of Human Resources. The Bureau of Human Resources must maintain a log of requests initiated by employees to track the progress of the requests. Pursuant to an agreement reached by the State and the Maine State Employees Association, if an employee-initiated reclassification request is approved, interest will accrue on the 91st day after the signing of the request by the employee rather than upon the date of final decision. It directs the Bureau of Human Resources to report the status and impact of the expedited reclassification request process to the Joint Standing Committee on State and Local Government by March 15, 2006.

RESOLVE 32 Resolve, Regarding the Conveyance of a Right-of-way across the Elizabeth Levinson Center in Bangor

LD 1458

Sponsor(s)	Committee Report	Amendments Adopted
SCHNEIDER	OTP-AM	S-127
BARSTOW		

Resolve 2005, chapter 32 authorizes and directs the Commissioner of Administrative and Financial Services to convey an easement across the Elizabeth Levinson Center in Bangor to Leo J. Davis. It requires the Commissioner of Administrative and Financial Services to have an opinion of value prepared by an independent appraiser to determine the current market value of the easement. The commissioner shall transfer the easement upon such terms and conditions as are in the best interests of the State. Any proceeds from the transfer of the easement must be given to the Elizabeth Levinson Center.

RESOLVE 59

Resolve, Authorizing the President of the Maine Community College System To Sell 1.37 Acres of Real Property Owned by Southern Maine Community College in South Portland LD 1676

Sponsor(s)	Committee Report	Amendments Adopted
BLISS		
BROMLEY		

Resolve 2005, chapter 59 authorizes the President of the Maine Community College System to sell a 1.37-acre, more or less, parcel of unimproved land owned by Southern Maine Community College in South Portland, provided that the proceeds of the sale are used to purchase land adjacent to the Southern Maine Community College campus for parking or other purposes of the college.

RESOLVE 64 Resolve, Promoting the Consumption of Maine Farm Products at the State House

LD 1452

Sponsor(s)	Committee Report	Amendments Adopted
PIOTTI	OTP-AM	H-340

Resolve 2005, chapter 64 requires vendors that provide food in the State House complex and the Cross Cafe to use Maine-grown products whenever possible when preparing the food. It requires the Department of Administrative and Financial Services and the Department of Agriculture, Food and Rural Resources to assist the vendors and the Cross Cafe in identifying and accessing Maine grown products. The Department of Administrative and Financial Services and the manager of the Cross Cafe are required to develop mechanisms for Maine food producers to offer and distribute their products to the cafe.

RESOLVE 78 Resolve, Regarding the Town of Cooper

LD 1626

Sponsor(s)	Committee Report	Amendments Adopted
RAYE	OTP-AM	S-196
MCFADDEN		

Resolve 2005, chapter 78 directs the Department of Transportation, the Town of Cooper and surrounding communities to develop a plan for the winter maintenance of Route 191, including the section of Route 191 that the Town of Cooper is currently responsible for. The plan must include fiscal and planning support. It directs the Executive Department, State Planning Office and the Town of Cooper to develop cooperative efforts with adjacent towns to share town services to address municipal officer position vacancy issues. The Department of Transportation, the State Planning Office and the Town of Cooper must report their recommendations to the Joint Standing Committee on State and Local Government by January 15, 2006. The Joint Standing Committee on State and Local Government is authorized to report out legislation implementing these recommendations, including allowing the Town of Cooper to continue its deorganization process.

RESOLVE 98 EMERGENCY

Resolve, Extending the Authority of the Commissioner of Administrative and Financial Services To Convey the Former Maine State Prison Property in Thomaston and the Kennebec Arsenal Property in Augusta for an Additional Five Years LD 1681

Sponsor(s)	Committee Report	Amendments Adopted
LERMAN	OTP-AM	H-568
MITCHELL		

Resolve 2005, chapter 98 authorizes the conveyance of a portion of the Kennebec Arsenal property in Augusta and the former Maine State Prison property in Thomaston. The authority granted by Resolve 1999, chapters 56 and 114 is scheduled to expire on June 9, 2005 and August 11, 2005, respectively. It delays the expiration of those resolves by 5 years.

Resolve 2005, chapter 98 was finally passed as an emergency measure effective June 7, 2005.

RESOLVE 124 Resolve, To Establish the Committee To Study the Establishment of a Memorial for Emergency Medical Services Personnel and To Set Aside Space for That Memorial

LD 1498

Sponsor(s)	Committee Report	Amendments Adopted
COWGER	OTP-AM	H-709 DUPLESSIE
MCKENNEY		S-222

Resolve 2005, chapter 124 establishes the Committee to Study the Establishment of a Memorial for Emergency Medical Services Personnel. The resolve directs the committee to study issues and make recommendations regarding the establishment of a memorial to honor emergency medical services personnel who have fallen in the line of duty and others who have made significant contributions to the development of the statewide Maine emergency medical services system. The committee must submit its initial report to the Capitol Planning Commission by January 2, 2006 and the final report by March 1, 2006. The Capitol Planning Commission must submit its initial report to the Committee on State and Local Government by January 15, 2006 and its final report by March 15, 2006. If a suitable location for the emergency medical services memorial cannot be located within the memorial park, the memorial must be located in the area of the State House grounds adjacent to the memorials to firefighters and law enforcement personnel.